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C O N F I D E N T I A L PANAMA 000925

SIPDIS

STATE FOR WHA/CEN/OMALLEY, CA/OCS/GREY

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TAGS: [PHUM](#) [PREL](#) [CJAN](#) [CASC](#) [SNAR](#) [CU](#) [PM](#) [LABOR](#) [HUMAN](#) [RIGHTS](#) [POLMIL](#)

SUBJECT: PANAMA COURT SENTENCES ANTI-CASTRO CONSPIRATORS,
GOP DISCUSSES POSSIBLE FUTURE ACTIONS

REF: A. 03 PANAMA 0722

[B](#). 03 PANAMA 2382

[C](#). PANAMA 0672

Classified By: Ambassador Linda E. Watt for Reasons 1.5 (B and D)

Six Sentences

[1](#). (SBU) On April 20, Panama's Fifth Penal Court convicted six anti-Castro conspirators, including three AmCits, for endangering public safety and sentenced them to seven and eight-year jail terms for a November 2000 plot to kill Fidel Castro. (See Refs A and B.) Luis Posada Carriles, currently stateless, and AmCit Gaspar Jimenez Escobedo were sentenced to eight years; one year was tacked on for carrying fraudulent passports. AmCits Pedro Crispin Remon and Guillermo Novo Sampoll, and Cuban-Panamanian Cesar Matamores were sentenced to seven years, while Panamanian Jose Hurtado Vicerós received four years. All six men have been in prison for around 40 months and will receive credit for time served. (See Ref. C) The Court acquitted the defendants of possession of explosives. Attempted murder charges had been dropped early on. The Venezuelan government continues to publicly seek the extradition of the stateless Posada Carriles, who was convicted and imprisoned for the 1976 bombing of a Cuban airliner which killed 73 people. (See Refs A and B for background on this case.)

Public Statements Slowly Emerging

[2](#). (SBU) The court and, initially, the attorneys have been tight-lipped, despite Embassy's efforts to learn more about the judge's decision. On April 21, Rogelio Cruz (lead defense attorney) spoke with the Embassy's American Citizen Services (ACS) staff and said an appeal will be filed within 10-15 days. Cruz claimed the convictions were "poorly supported" and the forthcoming publication of the judge's decision will demonstrate this. Cruz expressed appreciation on behalf of the defense team and the defendants for the Embassy's calls and follow-up on this case. La Prensa quoted the Cuban Ambassador to Panama, who said the sentence "proves" the prisoners are terrorists.

No Extradition for Posada Carriles

[3](#). (C) At a April 20 meeting with the POL Counselor, Minister of Government and Justice Arnulfo Escalona said that a formal GOP decision to deny Venezuela's extradition request for Posada Carriles would be forthcoming soon. Escalona added that the GOP is considering whether to release Posada Carriles and the others when they finish two-thirds of their terms (including time served) and whether to permit Posada Carriles, who entered Panama on a fraudulent Salvadoran passport and is currently stateless, to remain in Panama after his release. (Note: The possibility of a prison transfer to a US prison under our bilateral prisoner exchange agreement for the Cuban-Americans was not discussed but remains a potential option.) Escalona hinted that he would like to discuss options with the USG after the May 2 Panamanian election.

WATT